



By Ken Feil, Staff Photographer
BRIG. GEN. JAMES D. HITTLE
... testifies for bill

Kinoy Found Guilty, 'I Would Do It Again'

By Leroy F. Aarons
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Declaring that there are "certain bounds over which a lawyer may not step," General Sessions Court Judge Harold H. Greene found attorney Arthur Kinoy guilty yesterday of disorderly conduct in a hearing Wednesday before the House Un-American Activities Committee.

Greene at first fined Kinoy \$50 and suspended the sen-

tence but later reinstated the fine on a technicality having to do with Kinoy's right of appeal.

Visibly agitated by the verdict, the diminutive 45-year-old lawyer got up to address the bench, his emotion-choked voice rising as he spoke:

"I make no plea for mercy," he said. "I have no regrets or remorse for what I have done. I would do it again and again and again."

Calling Judge Greene's decision "one of the most extraordinary rulings in the history of our American law," Kinoy added, "The danger of what occurred here today is not to me. The danger is to the American bar. This case shall go to the Court of Appeals and the Supreme Court. I am deeply confident that when it reaches the highest court it will be reversed."

Kinoy's lawyers, a battery of eight civil liberties attorneys — some of whom testified in his behalf — announced they would immediately file an appeal with the D.C. Court of Appeals.

Judge Greene ruled after listening to the testimony of five U.S. marshals, three lawyers and a reporter from The

Washington Post. Each witness gave his version of what occurred in the caucus room of the Cannon Office Building when Kinoy rose to protest a ruling of subcommittee chairman Joe Pool (D-Tex.).

In the midst of shouting among Kinoy, a second attorney and members of the subcommittee, Pool ordered U.S. Marshals to remove Kinoy from the room.

The case turned on whether Kinoy's was engaged in "loud and boisterous talking" as provided in the disorderly conduct statute, or whether he was merely presenting a "vigorous" legal argument.

It is clear, Judge Greene said, "that the defendant tried to outshout the chairman. The chairman had to gavel him down. The defendant continued to be very loud in trying to outshout the rulings of the chairman."

"If this defendant can be permitted to interrupt the proceedings of the House Un-American Activities Committee, other persons in more vigorous fashion can disrupt other tribunals. To permit this to happen is no service to civil liberties in my opinion."

Kinoy, a prominent New York civil liberties attorney, was one of two lawyers defending a pair of anti-Vietnam war radicals called to the HUAC hearings, which ended yesterday. The subcommittee was considering a bill aimed at penalizing certain anti-war activities.

Testifying earlier in his own behalf, Kinoy told Judge Greene he was about to sit down during the Wednesday incident, when he was grabbed by the marshals and ushered out of the room and into a paddy wagon.

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